

PATENT APPLICATION

Docket No.: NC 84,696

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of: Stanish et al.  
Serial No.: 10/644,558  
Filed: 08/19/2003  
For: BIOBASED MICROBATTERY  
Examiner: Wills, Monique M.  
Art Group Unit: 1746

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PO Box 1450  
Alexandria, VA 22313-1450

July 11, 2005

FEE TRANSMITTAL

Sir:

Please charge the terminal disclaimer fee under 37 C.F.R. 1.120(de) of \$130 to Deposit Account No. 50-0281.

In the event that an additional fee is required, please charge the fee to Deposit Account No. 50-0281, and in the event that there is a credit due, please credit Deposit Account No. 50-0281.

Respectfully submitted,



Joseph T. Grunkemeyer  
Reg. No. 46,746  
Phone No. 202-404-1556  
Office of the Associate Counsel  
(Patents), Code 1008.2  
Naval Research Laboratory  
4555 Overlook Ave, SW  
Washington, DC 20375-5325

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**Fax transmission from:**

U.S. Naval Research Laboratory  
Associate Counsel Intellectual Property, Code 1008.2  
4555 Overlook Avenue, SW  
Washington, DC 20375-5325

**From:** Joe Grunkemeyer  
**Phone:** (202) 404-1556  
**Fax:** (202) 404-7380

**To:** Examiner Monique M. Wills  
Art Unit 1746  
**Fax:** (703) 872-9306

**Date:** 07/11/2005

**Cover Sheet +** 4 **Pages**

**Message:**

RE: Patent Application No.: 10/644,558

Filed: 08/19/2003

Inventor: Stanish et al.

Docket No.: NC 84,696

Response to Non-final Rejection – 2 pages

Terminal Disclaimer – 1 page

Fee Transmittal – 1 page

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## RESPONSE TO NONFINAL REJECTION

Sir:

In response to the Office action of 06/29/2005, setting a three month shortened statutory period of reply, please consider the following remarks.

Claims 1-27 are pending in the application. Claims 1-22 and 25-27 have been rejected. Claims 23 and 24 have been objected to.

## Double Patenting

Claims 1-22 and 25-27 have been rejected under the judicially created doctrine of obviousness-type double patenting as being allegedly unpatentable over claims 28-34, 40-42, 45-51, 55, and 59 of US Patent No. 6,680,142.

Without admitting any obviousness of the claimed invention, a terminal disclaimer over the patent is attached.

In view of the foregoing, it is submitted that the application is now in condition for allowance.

The fee for the terminal disclaimer is paid by the attached Fee Transmittal. In the event that an additional fee is required, please charge the fee to Deposit Account No. 50-0281,

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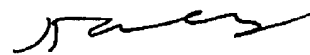
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Joseph T. Grunkemeyer  
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